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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,993	11/10/2000	Matthew Brown	1160215-0503576	4667

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EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3692

NOTIFICATION DATE	DELIVERY MODE
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09/20/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/709,993

Applicant(s)

BROWN ET AL.

Examiner

Clement B. Graham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13,15-21,23-29,31-34,36-47 and 50-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13,15-21,23-29,31-34,36-47 and 50-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Claims 13, 15-21, 23-29, 31-34, 36-47, and 50-52, remained pending in this application.
- 2 Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 112

- 3 The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 13, 27, 40, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, Claims 13, 27, 40, recites the statements ["creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user"].

However this language fails to distinctly claim Applicant's invention because the scope of the claim is unclear whether this system is a manual system and is the user part of the system.

Moreover the specification fails to clarify, the meaning of the limitation. Appropriate correction is required.

In particular, Claim 9, recites the word ["substantially"].

However this language fails to distinctly claim Applicant's invention because the scope of the claim is unclear. Moreover the specification fails to clarify, the meaning of the limitation.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 13, 15-21, 23-29, 31-34, 36-47, and 50-52, are rejected under 35 U.S.C. 103(a) as being unpatentable over Savage et al (Hereinafter Savage U.S. Pub: 2002/0026394A in view Dent et al (Hereinafter Dent U.S. Patent 6, 839, 687.

As per claim 13, 15, Savage discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of

(a) using a computer system (see column 1 paragraph 0006) to perform an act of formatting a customer billing statement to create a formatted billing statement form (see column 3-4 paragraph 0022-0023) the act of formatting comprising the steps of

(i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement and sorting (see column 2 paragraph 0013-0115) wherein said attributes comprise:

(1) section code, (2) a summary line, a sorting indication, and a statement presentation code (see paragraph 0013-0115)

(ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections (see paragraph 0013-0115)

(iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, and

(v) assigning at least one section from said plurality of sections to each one of said plurality of segments;

(b) entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance with said segments, said sections, and said statement presentation codes to create a completed billing statement (see paragraph 0013-0115)

(c) providing said completed billing statement to said customer; and

(d) allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications

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services provided by said communications service provider, wherein the formatting is conducted in accordance with said format. (Note abstract and see paragraph0013-0115).

Savage fail to explicitly teach a section code, a summary line, a sorting indication.

However Dent discloses a graphical user interface window containing an electronic billing statement presented by the payment analyzer on display. The billing statement is for a fictitious company Crown Home Improvement Center. The bill has a main body portion that lists individual line items for each purchase at Crown Home Improvement Center, with each line item containing the purchase date, purchase order number, invoice number, item number, description of item, quantity, price, total, tax, and amount due.(See Fig 8-9 and column 10 lines 26-67 and column 11 lines 1-31).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention to modify the teachings of Savage to include section code, a summary line taught by Dent in order to display bill statement with section code, a summary line.

As per claim 17, Savage discloses further comprising the step of assigning occurrences to said occurrence line sections in said itemization and said usage details segments. (see paragraph0013-0115).

As per claim 18, Savage discloses wherein the step of assigning occurrences comprises assigning at least one equipment outlet to at least one of said occurrence line sections. (see paragraph0013-0115).

As per claim 19, Savage discloses further comprising grouping and presenting information relating to transactions relating to at least two communications services of said plurality of services in one or more segments on the statement. (see paragraph0013-0115).

As per claim 20, Savage discloses wherein the step of grouping and presenting is completed in accordance with said statement presentation codes.

As per claim 21, Savage discloses wherein the plurality of communications services includes at least two of cable, telephony, video, or data services. (see paragraph0013-0115).

As per claim 23, Savage discloses further comprising the steps of

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- (d) grouping together information relating to a plurality of communications services into at least one of said segments or at least one of said sections, and
- (e) assigning a statement attribute code to each communications service to represent how said information is to be grouped together. (see paragraph 0013-0115).

As per claim 24, Savage discloses further comprising the steps of

- (d) allowing said customer to determine a method of payment for charges relating to each communications service; and
- (e) assigning a method of payment code to each communications service to represent the method of payment determined by said customer. (see paragraph 0013-0115).

As per claim 25, Savage discloses 25. (previously presented) A system operable to carry out the steps comprising the method of claim 13. (see paragraph 0013-0115).

As per claim 26, Savage discloses a computer readable medium comprising instructions to perform the method of claim 13. (see paragraph 0013-0115).

As per claim 27, Savage discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of

- (a) using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form, the step of formatting comprising the steps of
 - (i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections, wherein the step of creating a plurality of segments comprises the steps of 1) section code, (2) a summary line, a sorting indication, and a statement presentation code (see paragraph 0013-0115)
 - (iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, and

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- (v) assigning at least one section from said plurality of sections to each one of said plurality of segments(see paragraph0013-0115)
- (b) receiving input representing a preference of a customer for separate billing statements, wherein each of said separate billing statements relates to one or more different communications services provided to said customer(see paragraph0013-0115).
- (c) entering billing information relating to a plurality of services provided to said customer into said formatted billing statement form in accordance with said segments, said sections, said statement presentation codes, and said input to create one or more completed billing statements(see paragraph0013-0115)
- (d) providing said one or more completed billing statements to said customer; and
- (e) allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format. (see paragraph0013-0115).

Savage fail to explicitly teach a creating a summary segment, creating an itemization segment, creating a usage detail segment, and creating a tax segment.

However Dent discloses a graphical user interface window containing an electronic billing statement presented by the payment analyzer on display. The billing statement is for a fictitious company Crown Home Improvement Center. The bill has a main body portion that lists individual line items for each purchase at Crown Home Improvement Center, with each line item containing the purchase date, purchase order number, invoice number, item number, description of item, quantity, price, total, tax, and amount due.(See Fig 8-9 and column 10 lines 26-67 and column 11 lines 1-31).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention to modify the teachings of Savage to include a creating a summary segment, creating an itemization segment, creating a usage detail segment, and creating a tax segment taught by Dent in order to display bill statement with a creating a summary segment, creating an itemization segment, creating a usage detail segment, and creating a tax segment.

As per claim 28, Savage discloses further comprising the step of assigning a statement code to each of said communications services to correspond to said input. (see paragraph0013-0115).

As per claim 29, Savage discloses wherein said attributes comprise:
a statement presentation section. (see paragraph0013-0115).

Savage fail to explicitly teach a section code, a summary line, a sorting indication.

However Dent discloses a graphical user interface window containing an electronic billing statement presented by the payment analyzer on display. The billing statement is for a fictitious company Crown Home Improvement Center. The bill has a main body portion that lists individual line items for each purchase at Crown Home Improvement Center, with each line item containing the purchase date, purchase order number, invoice number, item number, description of item, quantity, price, total, tax, and amount due.(See Fig 8-9 and column 10 lines 26-67 and column 11 lines 1-31).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention to modify the teachings of Savage to include section code, a summary line taught by Dent in order to display bill statement with section code, a summary line.

As per claim 31, Savage wherein the step of creating a plurality of sections comprises the steps of

- (1) creating a summary line section for said summary segment, (2) reating a plurality of occurrence line sections for said itemization and usage detail segments, and
 - (3) creating a tax line segment for said tax segment. (see paragraph0013-0115).
- (see paragraph0013-0115)

As per claim 32 Savage discloses further comprising the step of assigning occurrences to said occurrence line sections in said itemization and said usage details segments. (see paragraph0013-0115).

As per claim 33, Savage discloses wherein the step of assigning occurrences comprises assigning at least one equipment outlet to at least one of said occurrence line sections. (see paragraph0013-0115).

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As per claim 34, Savage discloses wherein the plurality of communications services includes at least two of cable, telephony, video, or data services. (see paragraph0013-0115).

As per claim 36, Savage discloses further comprising the steps of

(d) grouping together information relating to a plurality of communications services into at least one of said segments or at least one of said sections, and

(e) assigning a statement attribute code to each communications service to represent how said information is to be grouped together. (see paragraph0013-0115).

As per claim 37, Savage discloses further comprising the steps of

(d) allowing said customer to determine a method of payment for charges relating to each communications service; and

(e) assigning a method of payment code to each communications service to represent the method of payment determined by said customer. (see paragraph0013-0115)).

As per claim 38, Savage discloses a system operable to carry out the steps comprising the method of claim 27. (see paragraph0013-0115).

As per claim 39, Savage discloses a computer readable medium comprising instructions to perform the method of claim 27. (see paragraph0013-0115).

As per claim 40, Savage discloses a method for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of

(a) using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form(see paragraph0013-0115) the step of formatting comprising the steps of

(i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections(see paragraph0013-0115)

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- (iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections,
- (v) assigning at least one section from said plurality of sections to each one of said plurality of segments(see paragraph0013-0115) and
- (b) entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance. with said segments, said sections, and said statement presentation codes to create one or more statement export files(see paragraph0013-0115)
- (c) providing said one or more statement export files to a print vendor for printing one or more completed billing statements; and
- (d) allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format(see paragraph0013-0115)
- (e) grouping together information relating to a plurality of communications services into at least one of said segments or at least one of said sections, and assigning a statement attribute code to each communications service to represent how said information is to be grouped together. (see paragraph0013-0115).

As per claim 41, Savage discloses wherein said attributes comprise: a statement presentation section and grouping together information relating to a plurality of communications services into at least one of said segments or at least one said sections; and assigning a statement attribute code to each communications service to present how said information is to be grouped together. (see paragraph0013-0115).

Savage fail to explicitly teach a section code, a summary line, a sorting indication.

However Dent discloses a graphical user interface window containing an electronic billing statement presented by the payment analyzer on display. The billing statement is for a fictitious company Crown Home Improvement Center. The bill has a main body portion that lists individual line items for each purchase at Crown Home Improvement Center, with each line item containing the purchase date, purchase order number,

invoice number, item number, description of item, quantity, price, total, tax, and amount due. (See Fig 8-9 and column 10 lines 26-67 and column 11 lines 1-31).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention to modify the teachings of Savage to include section code, a summary line, a sorting indication taught by Dent in order to display or present a bill statement with section code, a summary line, a sorting indication.

As per claim 42, Savage discloses wherein the step of creating a plurality of segments comprises the steps of creating a tax segment. (see paragraph0013-0115).

Savage fail to explicitly teach a creating a summary segment, creating an itemization segment, creating a usage detail segment.

However Dent discloses a graphical user interface window containing an electronic billing statement presented by the payment analyzer on display. The billing statement is for a fictitious company Crown Home Improvement Center. The bill has a main body portion that lists individual line items for each purchase at Crown Home Improvement Center, with each line item containing the purchase date, purchase order number, invoice number, item number, description of item, quantity, price, total, tax, and amount due. (See Fig 8-9 and column 10 lines 26-67 and column 11 lines 1-31).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention to modify the teachings of Savage to include creating a summary segment, creating an itemization segment, creating a usage detail segment taught by Dent in order to display bill statement with creating a summary segment, creating an itemization segment, creating a usage detail segment.

As per claim 43, Savage discloses wherein the step of creating a plurality of sections comprises the steps of. (see paragraph0013-0115) creating a summary line section for said summary segment, (2) creating a plurality of occurrence line sections for said itemization and usage detail segments, and creating a tax line segment for said tax segment. (see paragraph0013-0115).

As per claim 44, Savage discloses further comprising the step of assigning occurrences to said occurrence line sections in said itemization and said usage details segments. (see paragraph0013-0115).

As per claim 45, Savage discloses wherein the step of assigning occurrences comprises assigning at least one equipment outlet to at least one of said occurrence line sections. (see paragraph0013-0115).

As per claim 46, Savage discloses wherein the step of grouping and presenting is completed in accordance with said statement presentation codes.

As per claim 47, Savage discloses wherein the plurality of communications services includes at least two of cable, telephony, video, or data services. (see paragraph0013-0115).

As per claim 50, Savage discloses further comprising the steps of:

- (d) allowing said customer to determine a method of payment for charges relating to each communications service; and
- (e) assigning a method of payment code to each communications service to represent the method of payment determined by said customer. (see paragraph0013-0115).

As per claim 51, Savage discloses A system operable to carry out the steps comprising the method of claim 40. (see paragraph0013-0115).

As per claim 52, Savage discloses a computer readable medium comprising instructions to perform the method of claim 40. (see paragraph0013-0115).

RESPONSE TO ARGUMENTS

Conclusion

6. Applicant's argument's filed 8/21/2007 has been fully considered but they are moot in view of new grounds of rejections.

7. In response to Applicant's arguments Savage and Dent fail to teach or suggest" Savage discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of

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using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form the act of formatting comprising the steps of creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement and sorting wherein said attributes section code, a summary line, a sorting indication, and a statement presentation code creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, creating a plurality of segments, each segment having at least one of said sections assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, and assigning at least one section from said plurality of sections to each one of said plurality of segments, entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance with said segments, said sections, and said statement presentation codes to create a completed billing statement providing said completed billing statement to said customer; and

allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format a section code, a summary line, a sorting indication" the Examiner disagrees with Applicant's because the limitations were addressed as stated.

8. Savage discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of

- (a) using a computer system(see column 1 paragraph 0006) to perform an act of formatting a customer billing statement to create a formatted billing statement form (see column 3-4 paragraph 0022-0023) the act of formatting comprising the steps of
 - (i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction

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information on a customer billing statement and sorting (see column 2 paragraph 0013-0115) wherein said attributes comprise:

- (1) section code, (2) a summary line, a sorting indication, and a statement presentation code (see paragraph 0013-0115)
- (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections see paragraph 0013-0115
- (iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, and
- (v) assigning at least one section from said plurality of sections to each one of said plurality of segments;
- (b) entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance with said segments, said sections, and said statement presentation codes to create a completed billing statement (see paragraph 0013-0115)
- (c) providing said completed billing statement to said customer; and
- (d) allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format. (Note abstract and see paragraph 0013-0115).

Dent discloses a graphical user interface window containing an electronic billing statement presented by the payment analyzer on display. The billing statement is for a fictitious company Crown Home Improvement Center. The bill has a main body portion that lists individual line items for each purchase at Crown Home Improvement Center, with each line item containing the purchase date, purchase order number, invoice number, item number, description of item, quantity, price, total, tax, and amount due. (See Fig 8-9 and column 10 lines 26-67 and column 11 lines 1-31).

Therefore it is obviously clear that Applicants claimed limitations were addressed within the teachings of Savage and Dent.

9. Applicant's claims 13, 27, 40, states " to perform an act of formatting, to create a formatted billing statement, wherein the attributes comprise, wherein the step"

However the subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. The following are examples of language that may raise a question as to the limiting effect of the language in a claim:

- (A) statements of intended use or field of use,
- (B) "adapted to" or "adapted for" clauses,
- (C) "wherein" clauses, or
- (D) "whereby" clauses.

This list of examples is not intended to be exhaustive. See also MPEP § 2111.04.

**>USPTO personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim should not be read into the claim. E-Pass Techs., Inc. v. 3Com Corp., 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the claims unnecessarily). In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) ("During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow.... The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of language explored, and clarification imposed.... An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.").<

Where an explicit definition is provided by the applicant for a term, that definition will

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control interpretation of the term as it is used in the claim. *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (meaning of words used in a claim is not construed in a "lexicographic vacuum, but in the context of the specification and drawings."). Any special meaning assigned to a term "must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention." *Multiform Desiccants Inc. v. Medzam Ltd.*, 133 F.3d 1473, 1477, 45 USPQ2d 1429, 1432 (Fed. Cir. 1998). See also MPEP § 2111.01.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

Aug 27, 2007


FRANTZY POINVIL
PRIMARY EXAMINER
Au 3692